



SYNOPSIS

House Bills and Joint Resolutions
2015 Maryland General Assembly Session

February 6, 2015
Schedule 14

PLEASE NOTE: February 13 – Bill introduction deadline.

All bills must be given to the Chief Clerk by 5:00 P.M. on Thursday, February 12.

As required by House Rule 32(b), bills introduced after this date will be referred to the House Rules and Executive Nominations Committee.

HOUSE BILLS INTRODUCED FEBRUARY 6, 2015

HB 366 Delegate Conaway

TAX SALES – DELINQUENT WATER BILLS – PROHIBITION

Altering a specified definition of “tax” to exclude liens against real property arising from any unpaid water, sewer, or other sanitary system charges, fees, or assessments; and prohibiting Baltimore City from selling a property at tax sale for unpaid charges for water and sewer service.

Preliminary analysis: local government mandate

EFFECTIVE JULY 1, 2015

TP, §§ 14-801 and 14-849.1 - amended

Assigned to: Environment and Transportation

Department of Legislative Services

90 State Circle, Annapolis, Maryland 21401–1991

Baltimore Area: 410–946–5400 — Washington Area: 301–970–5400

Other Maryland Areas: 1–800–492–7122 — Maryland Relay Service: 1–800–735–2258

HB 367 Delegate Rosenberg, et al**PUBLIC HEALTH – MARYLAND BEHAVIORAL HEALTH CRISIS RESPONSE SYSTEM**

Altering the name of the Maryland Mental Health Crisis Response System to be the Maryland Behavioral Health Crisis Response System; altering the services provided by the System; requiring the Crisis Response System to evaluate the outcomes of services through the annual collection of data on behavioral health calls received by police, attempted and completed suicides, unnecessary hospitalizations, hospital diversions, arrests and detentions and diversion of arrests and detentions of individuals with behavioral health diagnoses; etc.

Preliminary analysis: local government mandate

This bill requires a mandated appropriation in the annual budget bill.

EFFECTIVE OCTOBER 1, 2015

HG, §§ 10-1401 through 10-1405 and 19-303(a)(3) - amended and Chapter 371 of the Acts of 2002, § 2 - repealed

Assigned to: Health and Government Operations

HB 368 Delegate Beidle (By Request – Anne Arundel County Administration), et al**CIVIL ACTIONS – IMMUNITY FROM LIABILITY – EMERGENCY MEDICAL CARE FOR DRUG OVERDOSE**

Providing immunity from civil liability for a specified person administering medications or treatment in response to an apparent drug overdose if the person is trained and certified under specified protocols established by the Secretary of Health and Mental Hygiene; extending immunity under the Act to a corporation under specified circumstances; and applying the Act prospectively.

EFFECTIVE OCTOBER 1, 2015

CJ, § 5-603 - amended

Assigned to: Judiciary

HB 369 **Caroline County Delegation and Talbot County Delegation**

PUBLIC SAFETY – APPOINTMENT OF MEMBERS OF FIRE COMPANIES AS DEPUTY SHERIFFS – CAROLINE COUNTY AND TALBOT COUNTY

Altering the applicability in Caroline County of specified provisions governing the appointment and duties of members of fire companies as deputy sheriffs; and providing for the appointment and duties of members of fire companies as deputy sheriffs in Talbot County.

EFFECTIVE OCTOBER 1, 2015

PS, §§ 7-302(a), (d), (e), and (f)(4) and 7-303(a) through (d) - amended

Assigned to: Judiciary

HB 370 **Delegate McCray, et al**

PREVAILING WAGE – PAYMENT FOR APPRENTICESHIP PROGRAMS

Requiring contractors and subcontractors under public work contracts subject to the prevailing wage rate law to pay the full cost of specified apprenticeship programs unless the contractor or subcontractor participates in an apprenticeship training program for each classification of workers listed in the prevailing wage determination applicable to the public work contract; requiring specified contractors to keep a list of each apprentice and the apprenticeship program in which the apprentice takes part; etc.

EFFECTIVE OCTOBER 1, 2015

SF, §§ 17-205, 17-220, and 17-221 - amended

Assigned to: Economic Matters

HB 371 **Delegate Bromwell, et al**

GAMING – VIDEO LOTTERY OPERATION LICENSE – BALTIMORE–WASHINGTON INTERNATIONAL THURGOOD MARSHALL AIRPORT

Increasing from six to seven the number of video lottery operation licenses and from 16,000 to 19,000 the number of video lottery terminals that may be awarded by the Video Lottery Facility Location Commission to provide for the award of a license at Baltimore–Washington International Thurgood Marshall Airport under specified circumstances; authorizing up to 2,500 video lottery terminals at the airport; submitting the Act to a referendum of the qualified voters of the State; etc.

CONTINGENT

SG, §§ 9-1A-05(a), 9-1A-27(a)(9), and 9-1A-36(f), (g), (h), (i), (j), (r)(1), and (t) - amended

Assigned to: Ways and Means

HB 372 Delegate Walker**REAL PROPERTY – VACANT AND ABANDONED RESIDENTIAL PROPERTY**

Requiring specified mortgage lenders to inspect specified residential properties for evidence of abandonment under specified circumstances; requiring specified mortgage lenders to maintain vacant and abandoned property in a specified manner; requiring the Department of Labor, Licensing, and Regulation to establish and maintain a Vacant and Abandoned Property Registry for specified property; establishing the Vacant and Abandoned Property Registry Fund as a special, nonlapsing fund administered by the Department; etc.

EFFECTIVE OCTOBER 1, 2015

RP, §§ 14-601 through 14-603 and SF, § 6-226(a)(2)(ii)83. - added and SF, § 6-226(a)(2)(ii)81. and 82. - amended

Assigned to: Environment and Transportation

HB 373 Delegate Tarlau, et al**REAL PROPERTY – CANDIDATES AND CAMPAIGN VOLUNTEERS – ACCESS TO PRIVATE RESIDENTIAL AREAS**

Prohibiting a person from preventing a candidate or any campaign volunteer accompanying a candidate from accessing specified private residential areas to campaign for elected office, register voters, or distribute campaign materials, except under specified circumstances; authorizing a person to impose specified limitations on the ability of a candidate or a campaign volunteer to access a private residential area; etc.

EFFECTIVE OCTOBER 1, 2015

RP, § 14-133 - added

Assigned to: Environment and Transportation

HB 374 Delegate A. Miller, et al**CRIMINAL PROCEDURE – EXPUNGEMENT – MARIJUANA POSSESSION**

Authorizing a person to file a specified petition for expungement if the person was convicted of a specified crime involving the use or possession of less than 10 grams of marijuana; and excluding specified charges involving less than 10 grams of marijuana that arise from the same incident, transaction, or set of facts as another charge from a specified unit for the purposes of a specified petition for expungement.

EFFECTIVE OCTOBER 1, 2015

CP, §§ 10-105 and 10-107 - amended

Assigned to: Judiciary

HB 375 Delegate Cullison**EDUCATION – MARYLAND COUNCIL ON ADVANCEMENT OF SCHOOL-BASED HEALTH CENTERS**

Establishing the Maryland Council on Advancement of School-Based Health Centers; specifying the duties of the Council; providing for the composition, chair, and staffing of the Council; prohibiting a member of the Council from receiving specified compensation, but authorizing the reimbursement of specified expenses; requiring the Council to study and make recommendations regarding specified matters; requiring the Council to report on its findings and recommendations on or before December 31 of each year; etc.

EFFECTIVE OCTOBER 1, 2015

ED, §§ 7-4A-01 and 7-4A-05 - repealed and added and §§ 7-4A-02 through 7-4A-04 - amended

Assigned to: Health and Government Operations

HB 376 Delegate Tarlau, et al**ELECTRIC COMPANIES – VEGETATION MANAGEMENT – LOCAL LAW, RULE, OR REGULATION**

Repealing a prohibition against a county or municipal corporation taking specified actions that interfere with, or materially increase costs of the work of an electric company toward, compliance with specified vegetation management standards.

EFFECTIVE OCTOBER 1, 2015

PU, § 7-213(e) - amended

Assigned to: Economic Matters

HB 377 Delegate Frick, et al**RENEWABLE ENERGY PORTFOLIO STANDARD – REVISIONS
(MARYLAND CLEAN ENERGY ADVANCEMENT ACT OF 2015)**

Altering the minimum required percentage of energy that must be derived from Tier 1 renewable sources in the State's renewable energy portfolio standard in specified years; altering the minimum required percentage of Tier 1 renewable energy that must be derived from solar energy in the State's renewable energy portfolio standard in specified years; establishing renewable energy portfolio standards for 2018 to 2025; applying the Act prospectively; etc.

EFFECTIVE OCTOBER 1, 2015

PU, §§ 7-703(b)(13), (14), (15), (16), and (17) and 7-705(e)(1) and (4) - amended and § 7-703(b)(18), (19), and (20) - added

Assigned to: Economic Matters

HB 378 Delegate K. Young**RENEWABLE ENERGY PORTFOLIO STANDARD – QUALIFYING
BIOMASS**

Limiting the eligibility of qualifying biomass as a Tier 1 renewable source for the purposes of the renewable energy portfolio standard to qualifying biomass used at a generation unit that started commercial operation on or after January 1, 2005, and that achieves a total system efficiency of 65% or more; defining specified terms; altering specified terms; etc.

This bill requires a mandated appropriation in the annual budget bill.

EFFECTIVE OCTOBER 1, 2015

PU, §§ 7-701 and 7-704(a) - amended

Assigned to: Economic Matters

HB 379 Delegate Bromwell**MINORITY BUSINESS ENTERPRISE PARTICIPATION – LIQUIDATED
DAMAGES – ARCHITECTURAL OR ENGINEERING SERVICES**

Excluding a contract for architectural or engineering services from the requirement to include a liquidated damages provision that applies in the event the contractor fails to comply in good faith with specified provisions relating to minority business enterprise participation.

EFFECTIVE OCTOBER 1, 2015

SF, § 14-303 - amended

Assigned to: Health and Government Operations

HB 380 Delegate Bromwell, et al**STATE RETIREMENT AND PENSION SYSTEM – MILITARY SERVICE CREDIT – EXCEPTION**

Providing that specified retirees of the Judges' Retirement System may receive additional service credit for military service if the retiree has at least 9 years of service credit earned through employment by a specified date, is unable to accumulate 10 years of service credit for military service due to mandatory retirement at age 70, became a retiree due to mandatory retirement, has a specified amount of service credit at the time of retirement, and purchases a specified amount of service credit after retirement; etc.

EFFECTIVE JULY 1, 2015

SP, § 27-305 - added and § 38-104 - amended

Assigned to: Appropriations

HB 381 Delegate Lafferty, et al**AGRICULTURE – NUTRIENT MANAGEMENT – PHOSPHORUS MANAGEMENT TOOL**

Incorporating by reference specified nutrient management plan requirements in the Maryland Nutrient Management Manual of the Department of Agriculture and any supplements to the Manual; establishing specified content and criteria for a nutrient management plan developed for an agricultural operation; providing that a specified agricultural certification does not prevent the application or enforcement of specified provisions of law; etc.

EFFECTIVE JUNE 1, 2015

AG, §§ 8-801 and 8-1006 - amended and §§ 8-808 and 8-808.1 - added

Assigned to: Environment and Transportation

HB 382 Delegate Morales, et al**SEXUAL ASSAULT SURVIVORS' RIGHT TO KNOW ACT**

Requiring a health care provider that performs a sexual assault evidence collection kit exam on a victim of sexual assault to provide the victim or the victim's representative with specified contact information; requiring a law enforcement agency that receives a sexual assault evidence collection kit to provide specified information, except results that include identifying information, within 30 days after a request by a specified victim or victim's representative; etc.

EFFECTIVE OCTOBER 1, 2015

CP, § 11-926 - added and PS, § 2-514 - amended

Assigned to: Judiciary

HB 383 Delegate Luedtke**EDUCATION – SEXUAL ABUSE AND ASSAULT AWARENESS AND PREVENTION PROGRAM – DEVELOPMENT AND IMPLEMENTATION**

Requiring the State Board of Education and specified nonpublic schools to develop and implement a specified program relating to sexual abuse and assault awareness and prevention; etc.

EFFECTIVE JULY 1, 2015

ED, § 7-437 - added

Assigned to: Ways and Means

HB 384 Delegate Anderson (By Request – Baltimore City Administration), et al**LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS – CONVICTION – NOT ENTITLED TO A HEARING**

Providing that a law enforcement officer who has been convicted of or had a conviction set aside for a felony or a misdemeanor punishable by 1 year of imprisonment or more is not entitled to a hearing under the Law Enforcement Officers' Bill of Rights.

EFFECTIVE OCTOBER 1, 2015

PS, § 3-107(a)(2) - amended

Assigned to: Appropriations

HB 385 Delegate Clippinger, et al**LABOR AND EMPLOYMENT – MARYLAND HEALTHY WORKING FAMILIES ACT**

Requiring specified employers to provide employees with specified earned sick and safe leave; providing for the manner in which earned sick and safe leave is accrued by the employee and treated by the employer; requiring an employer to allow an employee to use earned sick and safe leave for specified purposes; requiring an employee, under specified circumstances, to request leave, notify the employer of specified information, and comply with specified procedures; etc.

EFFECTIVE OCTOBER 1, 2015

LE, § 2-106(b) - amended and §§ 3-103(k) and 3-1301 through 3-1312 - added

Assigned to: Economic Matters

HB 386 Delegate Valentino-Smith**CHILD ABUSE AND NEGLECT – CENTRALIZED CONFIDENTIAL DATABASE**

Repealing provisions of law authorizing the Social Services Administration and each local department of Social Service to maintain a central registry of child abuse and neglect cases and substituting provisions authorizing a centralized confidential database; requiring each local department to enter and have access to information in the database related to reports, investigations, and assessments of suspected abuse or neglect; etc.

EFFECTIVE OCTOBER 1, 2015

FL, §§ 5-701(d), 5-706.1, and 5-714 - amended and § 5-701(l) - repealed and added

Assigned to: Judiciary

HB 387 Delegate Glass**HARFORD COUNTY – ARCHERY HUNTING – SAFETY ZONE**

Altering the size of the safety zone for archery hunters in Harford County from 100 to 75 yards from a dwelling house, residence, church, or any other building or camp occupied by human beings within which archery hunting may not take place except under specified circumstances.

EFFECTIVE JULY 1, 2015

NR, § 10-410(g) - amended

Assigned to: Environment and Transportation

HB 388 Delegates Dumais and Vallario**JUSTICE REINVESTMENT COORDINATING COUNCIL**

Establishing the Justice Reinvestment Coordinating Council in the Governor's Office of Crime Control and Prevention; providing for the composition, chair, and staffing of the Council; requiring the Council to develop a statewide policy framework to reduce spending on corrections and reinvest in strategies to increase public safety and reduce recidivism; requiring the Council to make its interim report on or before January 1, 2016 and its final findings and recommendations to the Governor and General Assembly on or before January 1, 2017.

EFFECTIVE JUNE 1, 2015

PS, §§ 1-601 through 1-605 - added

Assigned to: Judiciary

HB 389 Delegate Healey, et al**EDUCATION – BEGINNING OF SCHOOL YEAR – AFTER LABOR DAY**

Prohibiting public schools and publicly funded prekindergarten programs from opening for pupil attendance prior to the day after Labor Day.

EFFECTIVE JULY 1, 2015

ED, § 7-103 - amended

Assigned to: Ways and Means

HB 390 Delegate Atterbeary, et al**PROTECTIVE ORDER AND PEACE ORDER PETITIONS – MARYLAND RESIDENTS**

Authorizing the filing of a protective order petition if the abuse is alleged to have occurred in the State or if the person eligible for relief is a resident of the State; and authorizing the filing of a peace order petition if a specified act is alleged to have occurred in the State or if the petitioner is a resident of the State.

EFFECTIVE OCTOBER 1, 2015

FL, § 4-504(a) and CJ, § 3-1503(a) - amended

Assigned to: Judiciary

HB 391 Delegate Rosenberg, et al**OFFICE OF THE PUBLIC DEFENDER – ELIGIBILITY FOR SERVICES**

Prohibiting the Office of the Public Defender or a panel attorney from continuing representation after a specified bail hearing unless financial eligibility is determined; requiring the Office of the Public Defender to investigate the financial status of an applicant under all circumstances; etc.

EFFECTIVE OCTOBER 1, 2015

CP, § 16-210 - amended

Assigned to: Judiciary

HB 392 Delegate K. Young**INCOME TAX – SUBTRACTION MODIFICATION – RETIREMENT INCOME**

Increasing the maximum amount allowed as a subtraction modification under the State income tax for specified retirement income of an individual who is at least 70 years old or who is totally disabled; providing that the amount of the subtraction modification may not exceed specified amounts during specified taxable years; etc.

EFFECTIVE JULY 1, 2015

TG, § 10-209 - amended

Assigned to: Ways and Means

HB 393 Delegate Valentino-Smith, et al**CRIMES – USE OR POSSESSION OF MARIJUANA IN A MOTOR VEHICLE – PROHIBITION**

Prohibiting the use, consumption, or possession of marijuana in a motor vehicle; providing for penalties for a misdemeanor conviction of imprisonment not to exceed 1 year or a fine not to exceed \$1,000, or both, for a violation of the Act; etc.

EFFECTIVE OCTOBER 1, 2015

CR, § 5-601.2 - added

Assigned to: Judiciary

HB 394 Delegates K. Young and Krimm**CREATION OF A STATE DEBT – FREDERICK COUNTY – WEINBERG CENTER HVAC PROJECT**

Authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Mayor and Board of Aldermen of the City of Frederick for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Weinberg Center, including installation of an HVAC system, located in Frederick County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2015

Assigned to: Appropriations

HB 395 Delegate Valentino-Smith, et al**DEATH OR LIFE-THREATENING INJURY BY MOTOR VEHICLE OR VESSEL – SUBSEQUENT OFFENDERS – PENALTIES**

Establishing subsequent offender penalties for specified offenses that result in the death or life-threatening injury to another as the result of a specified person driving, operating, or controlling a vehicle or vessel; and providing that specified offenses committed in another state or federal jurisdiction are to be considered for the application of specified subsequent offender penalties.

EFFECTIVE OCTOBER 1, 2015

CR, §§ 2-209, 2-210, 2-503 through 2-506, and 3-211 - amended

Assigned to: Judiciary

HB 396 Delegate Turner**ELECTION LAW – PRIMARY ELECTION DATES IN THE PRESIDENTIAL ELECTION YEAR**

Altering the date of the statewide primary election in the year in which the President of the United States is elected; altering the date of the primary election for municipal offices in Baltimore City in the year in which the President of the United States is elected; making conforming changes; clarifying specified provisions of law concerning the filling of specified vacancies in nomination; repealing an obsolete provision of law concerning the printing of specified ballots; etc.

EFFECTIVE OCTOBER 1, 2015

EL, Various Sections - amended

Assigned to: Ways and Means

HB 397 Delegate Carter, et al**COMMERCIAL BAIL DATA ANALYSIS**

Requiring the Maryland Statistical Analysis Center, in consultation with the Administrative Office of the Courts, to develop a procedure and methodology for the compilation and analysis of specified data and the preparation of a specified report and recommendations; and requiring the Maryland Statistical Analysis Center to compile and analyze specified data and to submit a report of its findings and recommendations to the Governor and General Assembly on or before December 31, 2015.

EFFECTIVE JUNE 1, 2015

Assigned to: Judiciary

HB 398 Delegate Carter, et al**CIVIL ACTIONS – NONECONOMIC DAMAGES – CATASTROPHIC INJURY**

Altering the maximum amount of noneconomic damages that may be recovered in health care malpractice and other civil actions for a catastrophic injury under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2015

CJ, §§ 3-2A-09(a) and (b) and 11-108 - amended

Assigned to: Judiciary

HB 399 Harford County Delegation**HARFORD COUNTY – ALCOHOLIC BEVERAGES – CLASS DBR LICENSE**

Establishing a Class DBR license in Harford County; authorizing the Board of License Commissioners to issue a Class DBR license to a holder of a Class 5 manufacturer's (brewery) license; specifying that a holder of a Class DBR license is not required to sell food; authorizing the holder of a Class DBR license to sell not more than 500 barrels of beer per year for on-premises consumption; specifying that the value of specified equipment may be used toward meeting a specified requirement; providing for the hours of sale; etc.

EFFECTIVE JULY 1, 2015

Art. 2B, § 3-402 - added

Assigned to: Economic Matters

HB 400 Delegate O'Donnell**STATE GOVERNMENT – USE OF PUBLIC RESOURCES – REIMBURSEMENT BY ELECTED OFFICIALS**

Requiring a State elected official, within 30 days after a public resource is used in connection with a specified campaign event, to submit to the State Board of Elections specified documentation and reimburse the State for the cost of the public resource used; providing that a State elected official is subject to a specified fine under specified circumstances; requiring the State Board to refer a violation of a specified provision of the Act to the Office of the State Prosecutor; etc.

EFFECTIVE JULY 1, 2015

SG, § 1-102 - added

Assigned to: Ways and Means

HB 401 Delegate C. Howard, et al**INCOME TAX – FILM PRODUCTION ACTIVITY TAX CREDIT – MINORITY BUSINESS REPORTING REQUIREMENT**

Altering a reporting requirement under the film production activity income tax credit to require the Department of Business and Economic Development to provide a list of companies in the State that qualified as minority business enterprises and directly provided goods or services for film production activity each year; etc.

EFFECTIVE JULY 1, 2015

TG, § 10-730(e) - amended

Assigned to: Ways and Means and Health and Government Operations

HB 402 Delegates Rosenberg and Morhaim**TASK FORCE TO STUDY THE ESTABLISHMENT OF HEALTH COURTS**

Establishing the Task Force to Study the Establishment of Health Courts; providing for the composition, chair, and staffing of the Task Force; requiring the Task Force to study the adequacy and cost of State laws and policies relating to the litigation of medical malpractice cases and make recommendations regarding the establishment of health courts to hear medical malpractice cases and the feasibility of assigning a medical malpractice case to a single judge throughout the litigation process; etc.

EFFECTIVE JUNE 1, 2015

Assigned to: Judiciary

HB 403 Delegate Luedtke, et al**BUSINESS REGULATION – SALES OF DOGS AND CATS – REQUIRED HEALTH CERTIFICATE**

Requiring a specified person who sells a dog or cat to provide the purchaser with a health certificate issued by a veterinarian not more than 30 days before the date of sale; requiring a person who sells a dog or cat to disclose specified health information about the dog or cat to a purchaser; providing that false or misleading statements in a health certificate for a dog or cat for sale is an unfair or deceptive trade practice; and providing for specified penalties for specified violations.

EFFECTIVE OCTOBER 1, 2015

BR, §§ 19-901 through 19-903 - added

Assigned to: Economic Matters

HB 404 Delegate B. Barnes, et al**PROCUREMENT – PUBLIC WORK CONTRACTS – CONTRACTOR OCCUPATIONAL SAFETY AND HEALTH REQUIREMENTS**

Requiring a prospective bidder or offeror when submitting a bid or offer for a public work contract to submit to the public body a specified contractor safety and health plan and a specified attestation; requiring a contract safety and health plan to include specified information; requiring the Commissioner of Labor and Industry to develop a specified safety and health calculation worksheet and specified safety and health rating system; etc.

EFFECTIVE JULY 1, 2015

SF, §§ 17-801 through 17-807 - added

Assigned to: Economic Matters

HOUSE JOINT RESOLUTION INTRODUCED FEBRUARY 5, 2015**HJ 2** Delegate Hixson, et al**UNITED STATES CONSTITUTION – AMENDMENTS CONVENTION – DEMOCRACY AMENDMENT**

Applying to the U.S. Congress for an amendments convention called under Article V of the U.S. Constitution, on the application of the legislatures of two-thirds of the several states, to propose an amendment to the U.S. Constitution that affirms every citizen's freedom to vote and restores free and fair elections in America.

Assigned to: House Rules and Executive Nominations